

REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS

January 10, 2011

9:00 a.m.

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 10th day of January, 2011 at 9:00 a.m. in the Commissioners' Room of the Quay County Courthouse, Tucumcari, New Mexico for the purpose of taking care of any business that may come before them.

PRESENT & PRESIDING:

Bill Curry, Member
Robert Lopez, Member
Brad Bryant, Member
Ellen L. White, County Clerk
Richard Primrose, County Manager

OTHERS PRESENT:

Larry Moore, Quay County Road Superintendent
Cheryl Simpson, Quay County Manager's Office
Janie Murray, Quay County Assessor
Donald Adams, Quay County Fire Marshall
Thomas Garcia, Quay County Sun
Lance Labine, Trigg Memorial Hospital Administrator
Craig Cosner, Trigg Memorial Hospital Board President
Troy Brake, Resident
Sue Moore, Probate Judge

Commissioner Bill Curry called the meeting to order. Curry requested a moment of silence for the victims and families of those in the deadly shooting in Arizona. Craig Cosner led the Pledge of Allegiance.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the minutes from the December 13, 2010 regular commission meeting. MOTION carried with all members Curry and Lopez voting "aye" and Bryant abstaining from the vote.

Richard Primrose requested item number 8 be removed from the Agenda; Becky Wallace and Cheri Nipp, Presbyterian Healthcare Clinic. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve the Agenda with deletion of item number 8. MOTION carried with all members voting "aye".

Public Comments: None

Old Business: None

Paula O'Steen, Quay Fire/EMS joined the meeting. Time noted 9:10 a.m.

Commissioner Curry opened the floor for nominations of Quay County Board Chairman. A MOTION was made by Robert Lopez, Seconded by Brad Bryant to appoint Commissioner Bill

Curry as Chairman. MOTION carried with members voting "aye". Curry thanked the Commissioners for their vote of confidence and for the past leadership of Franklin McCasland. Curry also welcomed Brad Bryant to his first official meeting as Commissioner.

Chairman Bill Curry called the Public Hearing to order for discussion of the vacating the plat called Hills Village 2 Subdivision. Quay County Clerk, Ellen White issued an oath to Troy Brake so he could provide testimony during the Public Hearing:

Brake stated the subdivision was initiated to allow for 3 small tracts of land for the prospect of rental property. Brake is the sole owner of the property and Ross approached him years ago to be a partner in this adventure, however circumstances detoured the completion and Ross has since passed away. Brake farms all of the property and is no longer interested in the division of the lots and requests the Subdivision be vacated. Primrose stated adjoining land owners would be notified and both the Clerk and Assessor are aware of the situation and agree the land could be vacated without problems. Brake asked if the vacation was approved if the taxes for the 2011 tax year would revert back to farm land. Janie Murray, County Assessor stated by NMSA Statutes, valuation of property is placed on property January 1 of each year so the changes would not take effect until 2012. Chairman Curry stated the second public hearing as required by Ordinance would be held January 24, 2011.

With no further testimonies Chairman Curry closed the Public Hearing portion of the meeting.

Chairman Curry requested reorganization of Board and Sub-Committees. Primrose presented the list of appointments for approval. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve the appointments as presented. MOTION carried with all members voting "aye". A copy of said appointments are attached and made a part of these minutes.

In accordance with NMSA 10-17-3, a MOTION was made by Robert Lopez, SECONDED by Brad Bryant, to make provisions for the monthly revenues and expenditures to be made available for public inspection. MOTION carried with all members voting "aye".

According to NMSA 4-44-23-25 each January for elected officials or at the beginning of employment for employees of the county, a disclosure statement must be filed with the County Clerk disclosing the precise nature and value of such financial interests which an employee or elected official believes may be affected by the actions of the County. This information on the disclosure shall be made available by the County Clerk for inspection by the public while the valuation shall be kept confidential except for official removal proceedings. Quay County Clerk, Ellen L. White informed the Commissioners that distribution of the forms had occurred.

In accordance with NMSA 10-17-1, the County Commission is required to have summary minutes prepared and available for public inspection immediately following the end of a commission meeting approving said minutes. Recorders and tapes used by the Clerk only serve as a tool for the Clerk and are not a part of official minutes. Also it requires that annual audits, the monthly budget and finance reports, and the monthly lists of checks be made available to the public. This establishes a method of compliance with revenue and expenditure requirements. All reports shall be made available for public review. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez that such reports will be made available in accordance with NMSA 10-17-1. MOTION carried with all members voting "aye".

Chairman Curry stated that Donna Dominguez, Quay County Treasurer resigned from office effective December 31, 2010. Pursuant to NM Statute 10-3-3; the Board of Commissioners shall appoint a replacement. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant

to appoint Nadine Angel as Quay County Treasurer. MOTION carried with all members voting "aye". Primrose stated that Angel has appointed Christine Moriel as her Chief Deputy causing an opening in the Managers Office. The vacancy left in the Managers Office has been filled by Julie Lafferty. As well, T.J. Rich has been appointed as Quay County Detention Center Administrator due to the retirement of Tony Elebario.

Chairman Curry requested a recess. Time noted 9:30 a.m.
Return to regular session. Time noted 9:35 a.m.

Albert J. Mitchell, Tenth Judicial District Judge, Christine Moriel, Nadine Angel, Johnnie Parish and Nelda Burson joined the meeting. Time noted 9:35 a.m.

Judge Mitchell performed the swearing in of the newly appointed Treasurer, Nadine Angel and her staff which consisted of Christine Moriel, Johnnie Parish and Nelda Burson. Also sworn into office at this time was Sue Moore, Probate Judge.

Quay County Clerk, Ellen White presented the following items for approval:

1. Resolution No. 17; Determination of Reasonable Notice of Meeting of County Boards and Date and Time of Regular Meetings. A MOTION was made by Brad Bryant, Seconded by Robert Lopez to approve said Resolution. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.
2. Resolution No. 18; Adopting Procedures for Compliance in Accordance with NMSA 10-17; Miscellaneous Provisions (RE: Summary Commission Minutes). A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve said Resolution. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.
3. Requested approval of the 2011 Holiday Schedule for Quay County. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve said Schedule. MOTION carried with all members voting "aye". A copy of the 2011 Holiday Schedule is attached and made a part of these minutes.

Paula O'Steen presented the EMS Fund Act Local Funding Program Application for Fiscal Year 2012 on behalf of the Quay Fire Department. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve the Application. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.

O'Steen provided the Commissioners with a copy of the Medical Rescue Agency Certification for their information.

Donald Adams, Quay County Fire Marshall presented the following items for approval.

1. EMS Fund Act Local Funding Program Applications for the Fiscal Year 2012 on behalf of Rural I, Rural II and Forrest Fire Departments. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve said Applications. MOTION carried with all members voting "aye". Copies of Applications are attached and made a part of these minutes.
2. Requested approval of disposal of obsolete equipment as approved by the State Fire Marshall. Request is for removal of a 1964 Ford F-700 Class A Apparatus from Quay Fire District, a Ford Pick-up from Rural II and 1982 IHC Cab and Chassis from Bard-

Endee Fire District. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve the request. MOTION carried with all members voting "aye".

3. Adams informed the Board that a recent audit showed all Fire Departments in compliance with regards to the Fire Protection Fund Grants.
4. The Jordan Fire District Tank is built and waiting final plumbing.
5. Rural I Fire Department Truck should arrive mid-February.

Lance Labine, Trigg Memorial Hospital Administrator presented the Sole Community Provider payment request for the fiscal year 2011-2012. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve said request. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.

Labine requested approval of a First Amendment to Lease Agreement between the County of Quay and Presbyterian Healthcare Services. It is the desire of PHS to add the building currently being occupied by the Public Health Offices to the current Lease Agreement. A MOTION was made by Robert Lopez, SECONDED by Brad Bryant to approve the Amendment to the Lease Agreement. MOTION carried with all members voting "aye". A copy is attached and made a part of these minutes.

Richard Primrose stated Item No. 8 of the Agenda had been deleted due to the absence of Cheri Nipp and Becky Wallace. Primrose stated the December monthly RPHCA report is enclosed for their review.

Larry Moore, Quay County Road Superintendent presented the following report:

1. Reported Quay Road BH is nearing completion.
2. 2009/2010 School Bus Project on Quay Road AG/Quay Road 57 is underway.
3. Moore will be attending the NMAC Conference in Santa Fe on January 17-20, 2011.
4. The Northeastern Planning Organization meeting will be held on January 26, 2011 and Project Identification forms are due at that time.
5. Crews are moving signage to State Hwy 278 (Rural II Fire Department) to begin installation of culverts.
6. The Legislative Appropriation of \$80,000.00 received will be used in its entirety to purchase the caliche from K. Barnett. A portion of the caliche will be used in the Montoya area.
7. One bay door has been replaced at the Road Department and one more door has been ordered and will be installed.
8. A double pane window with tint has been installed at the office of the Road Department by Franklin Jackson. It has already proven to increase heat efficiency in the office.

Commissioner Bryant stated he had a concern from a resident of Quay Road AF regarding pot holes.

Chairman Curry requested a recess. Time noted 10:30 a.m.
Return to regular session. Time noted 10:35 a.m.

County Manager Richard Primrose presented the following Manager's Report:

1. Requested approval of the Lease Agreement between the Trigg Hospital Foundation Inc. and Quay County regarding the property located at 310 S. Second Street. The facility will house the Health Departments that were located in the building adjacent to the hospital. A MOTION was made by Brad Bryant, SECONDED by Lopez to approve the

Agreement. MOTION carried with all members voting "aye". A copy of said Agreement is attached and made a part of these minutes.

2. Requested approval of the 2011 Legislative Appropriation requests. A MOTION was made by Brad Bryant, SECONDED by Robert Lopez to approve said requests. MOTION carried with all members voting "aye". Primrose stated he has heard there might be Severance Tax money available for some requests and he will forward Quay County's request to Senator Harden and Representative Roch.
3. Provided an Agenda of the Eastern Area Workforce Development Board to be held in Santa Fe at the Kiva Room in the Hotel Santa Fe on January 28, 2011 at 8:30 a.m.
4. Presented a news article about Counties being forced to return paved and chip sealed roads back to gravel due to budget constraints.
5. Provided the Gross Receipts Tax Report for Quay County.
6. Protective glass has been installed at the reception window at the PMS Health Clinic due to recent volatile encounters between clients and personnel.
7. Primrose has recently spoken to Rick Martinez regarding the Energy Efficiency Grant regarding RFP's being issued for new windows at the Courthouse.
8. The new HVAC units should be operable by Thursday, January 13.
9. Fiber Optic lines will be made available to those businesses wanting them beginning this week. The company named N-COM will be doing the installations and have entered into a short term lease with the County to utilize the building on Main Street formerly occupied by ASAP.
10. Chester Mattocks, Auditor passed away recently. The County will receive 3 new quotes from Audit Firms and has started the process for selection. Primrose stated he has received a letter from the State Auditor stating the Quay County audit was complete and final payment could be made. Primrose has been in contact with Chester Mattock's daughter and she will be forwarding the final documents to Quay County.

CHECKS WERE REVIEWED AND APPROVED:

OTHER BUSINESS THAT MIGHT ARISE: NONE

A MOTION was made by Robert Lopez, SECONDED by Brad Bryant, to go into Executive Session pursuant to the Open Meetings Act 10-15-1(H) 8 NMSA to discuss the Purchase, Acquisition or Disposal of Real Property or Water Rights. MOTION carried with Lopez voting "aye"; Curry voting "aye" and Bryant voting "aye". Time noted 11:00 a.m.

-----EXECUTIVE SESSION-----

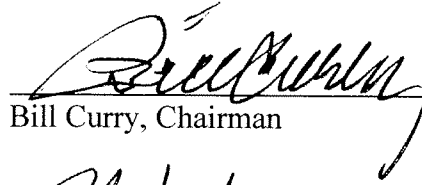
Return to regular session. Time noted 11:45 a.m.

A MOTION was made by Brad Bryant, SECONDED by Robert Lopez that only the items listed above were discussed during Executive Session and no action was taken. MOTION carried with Lopez voting "aye"; Curry voting "aye" and Bryant voting "aye".

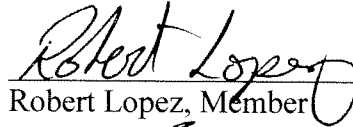
Chairman Curry announced the Commissioners would be having lunch following the adjournment of this meeting at the Pow Wow Restaurant. The public is welcome to attend.

There being no further business, a MOTION was made by Brad Bryant, SECONDED by Robert Lopez to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for Monday, January 24, 2011 unless sooner called. MOTION carried with all members voting "aye". Time noted 11:50 a.m.

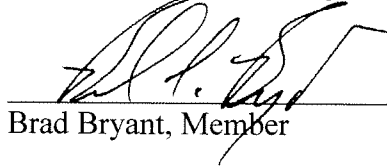
BOARD OF QUAY COUNTY COMMISSIONERS



Bill Curry, Chairman

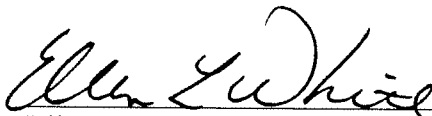


Robert Lopez, Member



Brad Bryant, Member

ATTEST:



Ellen L. White, County Clerk